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Paul R. LePage
GOVERNOR

8 July 2013

The 126th Legislature of the State of Maine
State House
Augusta, ME

Dear Honorable Members of the 126th Legislature:

Under the authority vested in me by Article IV, Part Third, Section 2 of the Constitution of the State of Maine, I am hereby vetoing LD 1181, "An Act To Further Strengthen the Protection of Pregnant Women and Children from Toxic Chemicals."

Of paramount importance to me as Governor is the health and well-being of Maine women, children and families. For this reason, I supported a bill during the last legislative session that strengthened Maine's Priority Chemicals law making Maine's program one of the most rigorous programs in the country. LD 1181, however, vastly expands the changes that have so recently been made, and constitutes a serious unfunded mandate. The original bill would have required \$750,000 in additional resources to the Department of Environmental Protection to implement the required programmatic changes. A redraft of the bill to make agency rule changes discretionary and to direct additional work to be undertaken "within existing resources" creates an unfunded mandate. These efforts will require significant resources and such resources are not forthcoming. The Agency can't do something with nothing.

Further, the bill would establish actions of other states as "credible scientific evidence" for Maine to follow, regardless of whether other states use scientific analyses to reach their conclusions. Additionally, this bill would require the state of Maine to once again re-visit which chemicals are considered chemicals of "high concern" while no fiscal support is being provided for this work load.

A minority of the Environment and Natural Resources Committee reported out a reasonable amendment to this bill that provided opportunities for public participation but enabled the Department to conduct scientifically sound program development under the existing law. In addition, the federal government, through potential amendments to the Toxic Substances Control Act, may be exploring reasonable and consistent measures to address these concerns. I am willing to engage further in such dialogue but the bill as drafted goes too far and constitutes an unfunded mandate.

For these reasons, I return LD 1181 unsigned and vetoed. I strongly urge the Legislature to sustain it.

Sincerely,


Paul R. LePage
Governor



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